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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Plaintiff,

V.

Defendants.

Potentially Related Case Nos.  
4:20-cv-02512-VC  
4:20-cv-02597-JSW

## ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED (Civil L.R. 3-12(b) and 7-11)

Judge: Hon. William H. Orrick

Pursuant to Local Rule 3-12(b), Plaintiff Matthew Blomquist (“Blomquist”) in the action entitled *Blomquist v. Altria Group, Inc. et al.*, No. 4:20-cv-02512-VC (“*Blomquist* action”), filed in this District on April 13, 2020, respectfully submits this Administrative Motion To Consider Whether Cases Should Be Related for the Court to consider whether the *Blomquist* Action and the action entitled *Martinez v. Altria Group, Inc., et al.*, No. 4:20-cv-02597-JSW (“*Martinez* action”), should be related to *Reece v. Altria Group, Inc., et al.*, No. 3:20-CV-02345-WHO (“*Reece* action”), the first filed case in this district pursuant to Civil Local Rule 3-12.

“An action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Civ. L.R. 3-12(a)

Plaintiff Blomquist is aware of two cases which are potentially related to the *Reece* action:

CASE NAME	CASE NUMBER & COURT	DATE FILED
<i>Reece v. Altria Group, Inc., et al.</i>	3:20-cv-02345 WHO (N.D. Cal.)	April 7, 2020
<i>Blomquist v. Altria Group, Inc., et al.</i>	4:20-cv-02512-VC (N.D. Cal.)	April 13, 2020
<i>Martinez v. Altria Group, Inc., et al.</i>	4:20-cv-02597-JSW (N.D. Cal.)	April 14, 2020

Pursuant to Civil Local Rule 3-12(a)(1), the *Blomquist* and *Martinez* actions should be related to the *Reece* action because both all of these actions allege that the same defendants, Defendants Altria Group, Inc. (“Altria”) and Juul Labs, Inc. (“Juul”), violated antitrust laws by entering an anticompetitive agreement by which Altria agreed to refrain from competing with Juul and exited the closed-system electronic cigarettes (“e-cigarettes”) market in exchange for a 35% ownership interest in Juul. Plaintiffs in these actions all assert substantially similar claims for violations of the Sherman Act, 15 U.S.C. § 1.

Moreover, pursuant to Civil Local Rule 3-12(a)(2), relation of these three actions is appropriate given that it appears likely that there will be an unduly burdensome duplication of labor and expense or the possibility of conflicting results if the cases are conducted before

different Judges. Relating the cases will help eliminate duplicative discovery, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel and the judiciary, and avoid the potential for conflicting results, consistent with Civil Local Rule 3-12(a)(2) .

Pursuant to Local Rule 3-12, Plaintiff Blomquist respectfully requests that the actions entitled *Blomquist v. Altria Group, Inc., et al.*, No. 4:20-cv-02512-VC and *Martinez v. Altria Group, Inc., et al.*, No. 4:20-cv-02597-JSW, be deemed related to *Reece v. Altria Group, Inc., et al.*, No. 3:20-cv-02345 WHO, the first filed case in this district, which is presently assigned to the Honorable Judge William H. Orrick.

Dated: April 20, 2020

Respectfully submitted,

**BERMAN TABACCO**

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